

P E N N S Y L V A N I A
STATE TROOPERS
ASSOCIATION

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3625 Vartan Way, Harrisburg PA 17110

August 12, 2026

Legislative Brief – House Bill 1042

PSTA Concerns and Opposition / Second Degree Murder Sentencing

- POSITION: Oppose HB 1042 as currently drafted

The Pennsylvania State Troopers Association recognizes the need for the General Assembly to address constitutional concerns surrounding sentencing for second-degree murder. However, House Bill 1042, Printer's No. 3793, goes far beyond a narrowly tailored sentencing remedy and substantially reduces the certainty and severity of punishment of individuals convicted of second-degree murder.

The PSTA respectfully urges the General Assembly to reconsider several provisions that have significant implications for public safety, crime victims, surviving families and Pennsylvania's law-enforcement community.

1. **SECOND DEGREE MURDER SHOULD CARRY SERIOUS AND CERTAIN CONSEQUENCES:**

Under HB 1042, the general sentencing structure for an adult convicted of second-degree murder would establish a minimum sentence of at least 35 years, with a maximum that may extend to life imprisonment.

Second-degree murder is not a minor nor technical offense. It involves death occurring during the perpetration of a felony. Individuals who willingly participate in inherently dangerous criminal activity must understand that when their conduct results in the loss of human life, the consequences will be severe.

2. **10-YEAR MINIMUM IS INADEQUATE FOR A MURDER CONVICTION:**

Of particular concern, HB 1042 creates a mitigation mechanism allowing certain defendants convicted of second-degree murder to receive a minimum sentence of less than 35 years and potentially as little as 10-years, providing the statutory mitigating criteria are established.

It is the assertion of the PSTA that a 10-year statutory floor is fundamentally inconsistent with the gravity of a second-degree murder conviction and fails to adequately recognize the permanent loss suffered by victims and their families.

3. **RETROACTIVE PAROLE ELIGIBILITY UNDERMINES SENTENCING FINALITY:**

HB 1042 would also create parole eligibility for certain offenders currently serving life sentences for second-degree murder after specified periods of incarceration. Families who were told that the individuals responsible for their loved one's death had received a life sentence should not, decades later, be unexpectedly required to relive that tragedy through newly created parole proceedings.

Victims deserve finality. Sentences should carry meaning.

4. **IMPACT ON PENNSYLVANIA STATE TROOPERS AND PUBLIC SAFETY:**

Pennsylvania State Troopers routinely respond to the very crimes underlying felony-murder prosecutions – armed robberies, burglaries, kidnappings, arsons and other dangerous felonies. These incidents develop rapidly and place responding Troopers, other police officers and innocent citizens in immediate danger.

Although HB 1042 contains protections involving the murder of law-enforcement officers, the PSTA remains concerned about reducing accountability for accomplices who knowingly participate in dangerous felony conduct and behavior that ultimately results in death.

Those who voluntarily participate in violent and inherently dangerous felonies must remain accountable for the reasonably foreseeable consequences of those crimes.

5. **PSTA URGES THE GENERAL ASSEMBLY TO:**

- Reject a 10-year minimum sentence for any adult convicted of second-degree murder.
- Preserve substantial penalties for deaths occurring during violent felonies.
- Strengthen protections when a law-enforcement officer is killed while responding to the underlying felony.

- Substantially narrow or reconsider retroactive parole eligibility for offenders previously sentenced to life imprisonment.
- Ensure that victims' rights, public safety and sentencing certainty remain paramount.

6. **PSTA POSITION:**

The Pennsylvania State Troopers Association supports thoughtful and constitutionally sound criminal-justice policy. However, sentencing reform must not diminish accountability for conduct resulting in the death of another person.

PSTA therefore opposes House Bill 1042 in its current form and urges the General Assembly to amend the legislation to preserve meaningful punishment, protect the victims of crime and their families and safeguard Pennsylvania's law-enforcement community.

Respectfully submitted,



President,
Pennsylvania State Troopers Association